

ANY GRANT OF A NONPOSSESSORY CORPOREAL ESTATE IS VALID AND EFFECTIVE WITHOUT THE ATTORNMENT OF THE TENANT IN POSSESSION. HOWEVER, ANY PAYMENT OF RENT BY THE TENANT TO THE GRANTOR OF THE GRANT PRIOR TO ACTUAL NOTICE OF THE GRANT IS AN EFFECTIVE DISCHARGE OF LIABILITY FOR THE RENT.

REVISOR'S NOTE: This section presently appears as Art. 21, §8-203 of the Code. The only changes are in style.

8-105. EXCULPATORY CLAUSE.

IF THE EFFECT OF ANY PROVISION OF A LEASE IS TO INDEMNIFY THE LANDLORD, HOLD THE LANDLORD HARMLESS, OR PRECLUDE OR EXONERATE THE LANDLORD FROM ANY LIABILITY TO THE TENANT, OR TO ANY OTHER PERSON, FOR ANY INJURY, LOSS, DAMAGE, OR LIABILITY ARISING FROM ANY OMISSION, FAULT, NEGLIGENCE, OR OTHER MISCONDUCT OF THE LANDLORD ON OR ABOUT THE LEASED PREMISES OR ANY ELEVATORS, STAIRWAYS, HALLWAYS, OR OTHER APPURTENANCES USED IN CONNECTION WITH THEM, AND NOT WITHIN THE EXCLUSIVE CONTROL OF THE TENANT, THE PROVISION IS DEEMED TO BE AGAINST PUBLIC POLICY AND VOID. NO INSURER MAY CLAIM A RIGHT OF SUBROGATION BY REASON OF THE INVALIDITY OF THIS PROVISION.

REVISOR'S NOTE: This section presently appears as Art. 21, §8-211 of the Code. The present reference to "other rental agreement" is proposed for deletion as unnecessary. The use of this term is intended so that the section applies to oral leases which are now explicitly included in the definition of "lease" in §1-101(h). The only changes are in style.

8-106. PAYMENT OF RENT ON DEATH OF LANDLORD WHO IS LIFE TENANT.

IF A LANDLORD, HAVING ONLY AN ESTATE FOR LIFE, DIES ON OR BEFORE THE DAY ON WHICH THE RENT THAT HAS BEEN EARNED IS PAYABLE AND HIS DEATH TERMINATES THE LEASEHOLD ESTATE, HIS PERSONAL REPRESENTATIVE MAY RECOVER FROM THE TENANT THE FULL AMOUNT OF THE RENT IF DEATH OCCURS ON THE DAY THE RENT IS PAYABLE OR A PROPORTIONATE SHARE OF THE RENT IF DEATH OCCURS BEFORE THIS DAY.

REVISOR'S NOTE: This section presently appears as Art. 21, §8-205 of the Code. The only changes are in style.

8-107. LIMITATION OF ACTIONS.

IF THERE IS NO DEMAND OR PAYMENT FOR MORE THAN 20